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Attorney for Defendants City of Surprise, Skip Hall and Steven Shernicoff

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Rebekah Massie; and Quintus Schulzke ,

Plaintiffs,

vs.

City of Surprise, a municipal corporation and
a governmental entity; Skip Hall, in his
individual capacity; and Steven Shernicoff,
in his individual capacity,

Defendants.

Case No.: 2:24-cv-02276-ROS--DMF

**CITY OF SURPRISE'S UNOPPOSED
MOTION TO EXTEND TIME TO
RESPOND TO PLAINTIFF
SCHULZKE'S MOTION FOR A
PRELIMINARY INJUNCTION ON
CLAIMS 1 – 3 AND MEMORANDUM
OF LAW (DOC. 6)**

Defendant City of Surprise, by and through undersigned counsel, hereby files this unopposed motion for an extension of time to file its response to Plaintiff Schulzke's Motion for a Preliminary Injunction on Claims 1 – 3 and Memorandum of Law. (Doc. 6).¹ The current deadline for said response is September 18, 2024. Defendant City of Surprise requests up to and until September 26, 2024 (the deadline for their answer or other response to Plaintiffs' Complaint) to file its response to Doc. 6. This request is

¹ Plaintiff Schulzke's Motion seeks relief from the City only.

1 made for the following reasons: 1) on September 17, 2024, the Surprise City Council
2 voted to repeal the rule, regulation or ordinance that Plaintiff Schulzke seeks to enjoin
3 the enforcement of; and 2) as a consequence, Plaintiff Schulzke's attorneys are evaluating
4 the effect of last night's vote on Plaintiff's pending motion. Plaintiffs' counsel has been
5 advised of this motion and does not oppose it.
6

7 This Motion is made for good cause, in good faith, and not for the purpose of undue
8 delay. A proposed Order is attached hereto as Exhibit A.
9

10 DATED this 18th day of September, 2024.

11 JELLISON LAW OFFICES, PLLC

12 By: s/ James M. Jellison

13 James M. Jellison, Esq.

14 *Attorney for Defendants City of Surprise, Skip*
15 *Hall and Steven Shernicoff*

16 **CERTIFICATE OF FILING AND MAILING**

17 I hereby certify that on September 18, 2024, I electronically transmitted the attached
18 document to the Clerk's office using the CM/ECF system for filing and transmittal of a
19 Notice of Electronic filing to the following registrant:

20 Daniel J. Quigley
21 (State Bar No. 011052)
22 DANIEL J. QUIGLEY, P.L.C.
23 5425 E. Broadway Blvd., Ste. 352
24 Tucson, AZ 85711
25 quigley@djqlc.com

26 Conor T. Fitzpatrick
27 (Mich. P78981 / D.C. 90015616)
28 FOUNDATION FOR INDIVIDUAL RIGHTS AND EXPRESSION
700 Pennsylvania Ave. SE, Ste. 340 Washington, D.C. 20003
(215) 717-3473
conor.fitzpatrick@thefire.org

1 Adam B. Steinbaugh
2 (Penn. 326476 / Cal. 304829)
3 FOUNDATION FOR INDIVIDUAL RIGHTS AND EXPRESSION
4 510 Walnut St., Ste. 900 Philadelphia, PA 19106
5 (215) 717-3473
6 adam@thefire.org

7 By: s/ Valerie Hall
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